PART IV

SECTION 1-B

CENTRAL ACTS AND ORDINANCES

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 6 LCR 78

Bangalore, dated 31st May 1978

Ordered that the Income-Tax (Amendment) Rules, 1978 published in Part II, Section 3 (ii) of the *Gazette of India*, Extraordinary, dated 18th January 1978 be republished in the *Karnataka Gazette* for general information.

By Order and in the name of the Governor of Karnataka,

A. NEELAKANTARYA,
Under Secretary to Government,
Department of Law and Parly. Affairs.

CENTRAL BOARD OF DIRECT TAXES

Notification

New Delhi, the 18th January, 1978

INCOME-TAX

S. O. 24 (E).—In excercise of the powers conferred by section 295 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following rules further to amend the Income-tax Rules, 1962, namely :—

1. These rules may be called the Income-tax (Amendment) Rules, 1973.

2. In the Income-tax Rules, 1962,—

(i) after rule 6AA, the following rule shall be inserted, namely :—

"**6AAB. Statement of expenditure for claiming deduction under section 35CC.—**

The statement of expenditure required to be furnished under sub-section (3) of section 35CC shall be in Form No, 3AA." ;

(ii) in Appendix II, after Form No. 3A, the following Form shall be inserted, namely :—

"FORM No. 3AA

[*See* Rule 6AAB]

†Statement of expenditure to be furnished for the purposes of deduction under section 35CC of the Income-tax Act, 1961

1.	Name and address of the *company/ co-operative society	....
2.	Parmanent Account Number	.....
3.	Previous year	.....
4.	Assessment year	
5.	Date on which the programme of rural development was approved by the prescribed authority (Please attach a true copy of the order of the prescribed authority approving the programme,	.....
6.	(a) Copy of the programme of rural development as approved by the prescribed authority (b) Particulars of rural area covered by the programme (c) Particulars of work done during the previous year towards implementing the approved programme of rural development [Please attach separate sheet (s), if necessary]	....
7.	Total expenditure incurred during the previous year on the approved programme of rural development	
8.	Where any part of the expenditure referred to in item 7 above has been incurred before the approval of the programme of rural development by the prescribed authority, please specify the amount thereof,	....
9.	Qualifying amount of expenditure (Item 7 *minus* Item 8)	....

‡10. Amount of expenditure, out of the expenditure referred to in item 9 above, which has resulted in the acquisition or creation of any one or more of the following assets :—

(i) Land ... .
(ii) Building .....
(iii) Mechinery or plant .. ..
.....
(iv) Furniture .....
Total

11. (a) Has the *company/co-operative society divested itself of the ownership of the assets referred to in item 10 above before the end of the previous year ?

(b) If the answer to (a) above is in the affirmative, please indicate the date on which and the persons/authority in whose favour the property has been divested ....

(c) If the answer to (a) above in the negative, please specify the amount of expenditure which has resulted in the acquisition or creation of assets the ownership whereof has not been so divested

12. Where the expenditure referred to in item 10 above includes any expenditure in respect of work-in-progress, please specify the amount thereof ....

13. Amount of expenditure, out of the expenditure referred to in item 9 above, which has not resulted in the acquisition or creation of any asset, being land, building, mechinery, plant or furniture

[Please annex a break-up of various items of expenditure under appropriate account heads, e.g., purchase of goods; salaries and wages of regular employees; other salaries and wages; conveyance and travelling, etc. Any item under

which the expenditure exceeds Rs. 5,000 should be shown as a separate and distinct item against an appropraite account head and not combined with any other item or shown under 'Miscellaneous expenses', Where the approved programme of rural development consists of more than one separate and distinct project, a break-up expenditure on the above lines should please be furnished in respect of expenditure incurred in respect of each such project separately.

14. Where the entire expenditure incurred on the approved programme of rural development has not been debited to a separate account, please specify the various accounts to which such expenditure has been debited and the amount debited to each such amount.

15. (a) Whether the assessee has maintained original bills, receipts, etc. in respect of the expenditure referred to in item 9 above.....

(b) Whether such expenditure has been checked with reference to the bills, receipts, etc. and found to be in order.

16. (a) Whether any payment exceeding Rs. 2,500 has been made in respect of the expenditure on the approved programme of rural development otherwise than by a crossed cheque or a crossed bank draft—section 40A (3) of the Income-tax Act. If so, please give details of such payments .....

(b) Whether the expenditure incurred on the approved programme of rural development includes any expenditure not deductible under any other provision of the Income-tax Act. If so, please give particulars thereof .....

17. Amount of expenditure claimed as deduction under section 35CC (1)

The particulars given herein above have been prepared on an examination of the books of account and other other documents maintained by M/s——

(Name of the *company/co-operative society)

*I/We have obtained all the information and explanations which to the best of *my/your knowledge and belief were necessary for the purpose of preparing the statement of expenditure on the programme of rural development. In *my/our opinion and to the best of *my/our information and according to the explanations given to *me/us, the particulars given herein above are true and correct.

.....

(Signed)

Place .....

Date..... (Accountant)

Notes.—(1) *Where any expenditure has been incurred during the the previous year in respect of more than one programme of rural development, please furnish separate statements in respect of each such programme.

(2) *Delete whichever is not applicable.

(3) ‡Where the assessee has constructed any building for the purposes of the programme of rural development, please furnish break-up of the expenditure under convenient heads, *e. g.*, purchase of materiasls, etc. used; salaries and wages of regular employees; other salaries and wages, etc. Any item under which the expenditure exceeds Rs. 5,000 should be shown as a separate and distinct item and not combined with any other item or shown under 'Miscellaneous expenses'.

(4) @This statement is to be signed by—

(i) a chartered accountant wihtin the meaning of the Chartered Accounts Act, 1940 (38 of 1949);

(ii) any person who, in relation to any State is by virtue of the provisions in sub-section (2) of section 226 of the Companies Act, 1956 (1 of 1956), entitled to be appointed to act as an auditor of companies registered in that State.

(5) Where the whole or a part of the approved programme of rural development has been executed on behlf of the assessee by its agent, a detailed break up of the expenditure prepared on the basis of the statement of account rendered by the agent to the assessee and supporting bills, vouchers, etc, should be given on the lines indicated above."

[No. 2 128/F 1 No. 142(25)/77-TPL]

S. N. SHENDE, Secy.

Notification No. LAW 31 LCA 78.

Bangalore, dated 17th June 1978.

Ordered that the Port Laws (Amendment) Act, 1978 (17 of 1978) published in Part II Section I of the *Gazette of India*, Extraordinary, dated 4th May 1978 be republished in the *Karnataka Gazette* for general information.

By Order and in the name of the Governor of Karnataka,

A. NEELAKANTARYA,
Under Secretary to Government,
Department of Law and Parly. Affairs.

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Assented to on 4th May 1978 Act No. 17 of 1978

THE PORT LAWS (AMENDMENT) ACT, 1978

AN

ACT

further to amend the Indian Ports Act, 1908 and the Major Port Trust Act, 1963.

BE it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows :—

1. **Short title.**—(1) This Act may be called the Port Laws (Amendment) Act, 1978.

2. **Amendment of section 5 of Act 15 of 1908.**—In the Indian Ports Act, 1908, in sub-section (1) of section 5, the following *Explanation* shall be inserted at the end, namely :—

"*Explanation*:—For the removal of doubts, it is hereby declared that the power conferred on the Government by this sub-section includes the power to alter the limits of any port by uniting with that port any other port or any part of any other port."

3. **Amendment of section 133 of Act 38 of 1963.**—In section 133 of the Major Port Trusts Act, 1963, in sub-section (3), after the words "that corresponding law shall, on such application, cease to have force in relatioh to that port", the words and figures 'and section 6 of the General Clauses Act, 1897, (10 of 1897) shall apply as if such corresponding law were a Central Act and such cesser of operation were a repeal" shall be inserted.

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